

UNOFFICIAL VERSION

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WEDNESDAY, JANUARY 10, 2018

THIRTY-NINTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Pastor Jerome Overton of Spring Hill Missionary Baptist Church in Nashville, Tennessee, a guest of Senator Ketron.

PLEDGE OF ALLEGIANCE

Senator Ketron led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Ketron led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 30

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

COMMUNICATIONS

January 10, 2018

Lt. Gov. Randy McNally
Cordell Hull Building, 7th Floor
Nashville, TN 37243

RE: Thursday, January 10, 2018

Dear Lt. Gov. McNally:

I will be out of the office and not able to attend Session on Wednesday, January 10, 2018.

Please approve my not being present that day and feel free to call me if you have any questions.

Sincerely,

/s/ Mark E. Green, M.D.
State Senator

APPROVED: Lieutenant Governor
Randy McNally

WEDNESDAY, JANUARY 10, 2018 -- 39th LEGISLATIVE DAY

TO: Speaker McNally
FROM: Sen. Reginald Tate
DATE: January 10, 2018
RE: Requested absence from Session

I am respectfully requesting to be excused from Session on Wednesday, January 10, 2018, in order that I could take care of some personal business.

I appreciate your consideration.

APPROVED: Lieutenant Governor
Randy McNally

STANDING COMMITTEE REPORT

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1446 with amendment; and Senate Joint Resolution No. 472 with amendment.

KELSEY, Chairperson
January 9, 2018

The Speaker announced that he had referred Senate Bill No. 1446 with amendment; and Senate Joint Resolution No. 472 with amendment to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 1478 through 1486** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 1478 by Senator Johnson.

Children -- As introduced, revises various provisions relative to stepparent visitation. Amends TCA Title 36.

Senate Bill No. 1479 by Senator Johnson.

Special License Plates -- As introduced, authorizes issuance of government service license plates for vehicles leased by governmental entities. Amends TCA Section 55-4-223.

Senate Bill No. 1480 by Senator Southerland.

General Assembly -- As introduced, specifies that expenses of members are paid in accordance with Article II, Section 23 of the Constitution of Tennessee. Amends TCA Section 3-1-106.

Senate Bill No. 1481 by Senator Swann.

Comptroller, State -- As introduced, clarifies that the Local Government Modernization Act of 2005 creates an ongoing, rather than one-time, duty of the comptroller of the treasury to ensure local governments are in compliance with the accounting and financial reporting standards established by the Governmental Accounting Standards Board. Amends TCA Title 9, Chapter 3, Part 4.

Senate Bill No. 1482 by Senator Gresham.

Public Records -- As introduced, repeals the requirement that the register of each county, once in every year, lay before the county legislative body all the records of the register's office for examination. Repeals TCA Section 10-7-103.

Senate Bill No. 1483 by Senator Pody.

Open Meetings -- As introduced, replaces a reference to a repealed federal law with a reference to, and language from, the present federal statute. Amends TCA Section 8-44-102.

Senate Bill No. 1484 by Senator Briggs.

Taxes, Real Property -- As introduced, removes requirement that a city lying in more than one county be reappraised under a separate plan of reappraisal. Amends TCA Section 67-5-1601(b).

Senate Bill No. 1485 by Senator Jackson.

Taxes, Ad Valorem -- As introduced, specifies that property subject to the tax exemption for religious, charitable, scientific, or educational property, property of certain low-income persons, property of certain educational institutions, and property used for airport runways is required to have the exemption application approved by the state board of equalization; deletes the requirement that the county assessor of property submit a record of the county board of equalization's changes to the state board of equalization. Amends TCA Title 67, Chapter 5.

Senate Bill No. 1486 by Senator Stevens.

Public Funds and Financing -- As introduced, adds debit card fraud to the definition of unlawful conduct that must be reported to the comptroller of the treasury; adds certain certified public accountants and firms to those with a duty to report unlawful conduct to the comptroller; removes immunity from those reporters who knowingly provide false information. Amends TCA Title 8, Chapter 4, Part 5.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1467 through 1477** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 1467 referred to the Committee on State and Local Government.

Senate Bill No. 1468 referred to the Committee on Commerce and Labor.

Senate Bill No. 1469 referred to the Committee on State and Local Government.

Senate Bill No. 1470 referred to the Committee on State and Local Government.

Senate Bill No. 1471 referred to the Committee on Education.

Senate Bill No. 1472 referred to the Committee on Judiciary.

Senate Bill No. 1473 referred to the Committee on Education.

Senate Bill No. 1474 referred to the Committee on Transportation and Safety.

Senate Bill No. 1475 referred to the Committee on State and Local Government.

Senate Bill No. 1476 referred to the Committee on State and Local Government.

Senate Bill No. 1477 referred to the Committee on Education.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 473 through 477**; and **Senate Resolutions Nos. 137 through 139** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 473 by Senator Swann.

Memorials, Retirement -- Frank Trexler.

Senate Joint Resolution No. 474 by Senator Johnson.

Memorials, Professional Achievement -- Rachel Lytle, 2017 Outstanding New Biology Teacher Achievement Award.

Senate Joint Resolution No. 475 by Senator Johnson.

Memorials, Death -- Sarah Benson.

Senate Joint Resolution No. 476 by Senator Johnson.

Memorials, Retirement -- Roger Horner.

Senate Joint Resolution No. 477 by Senator Southerland.

Memorials, Academic Achievement -- Horace Michael Shultz, Jr., Phi Theta Kappa All-Tennessee Academic Team Nominee.

Senate Resolution No. 137 by Senator Ketron.

Memorials, Professional Achievement -- John Black, Rutherford County Chamber of Commerce 2017 Business Person of the Year.

Senate Resolution No. 138 by Senator Ketron.

Memorials, Professional Achievement -- Bill Jones, Rutherford County Chamber of Commerce 2017 Business Legend of the Year.

Senate Resolution No. 139 by Senator Ketron.

Memorials, Professional Achievement -- Teb Batey, Leadership Rutherford Pinnacle Award.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 465 through 471**; and **Senate Resolution No. 136** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

Senate Joint Resolution No. 465 -- Memorials, Recognition -- Lieutenant Colonel Richard T. Willbanks, U.S. Army.

The Speaker announced that he had referred Senate Joint Resolution No. 465 to the Committee on Calendar.

Senate Joint Resolution No. 466 -- General Assembly, Statement of Intent or Position -- Authorizes governor to expand Medicaid eligibility in accordance with the Patient Protection and Affordable Care Act to fully combat the opioid crisis in Tennessee.

The Speaker announced that he had referred Senate Joint Resolution No. 466 to the Committee on Health and Welfare.

Senate Joint Resolution No. 467 -- Memorials, Recognition -- Cicely Woodard, 2017-2018 Tennessee Teacher of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 467 to the Committee on Calendar.

Senate Joint Resolution No. 468 -- Memorials, Recognition -- Hartsville, 200th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 468 to the Committee on Calendar.

Senate Joint Resolution No. 469 -- Memorials, Death -- Hubert Ronald "Ronnie" Hill.

The Speaker announced that he had referred Senate Joint Resolution No. 469 to the Committee on Calendar.

Senate Joint Resolution No. 470 -- Memorials, Recognition -- James R. Morrison, Jr., Senior Deputy Supreme Tall Cedar.

The Speaker announced that he had referred Senate Joint Resolution No. 470 to the Committee on Calendar.

Senate Joint Resolution No. 471 -- Memorials, Sports -- Coach Joe Gaddis, Coach of the Year in Region 3-5A.

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The Speaker announced that he had referred Senate Joint Resolution No. 471 to the Committee on Calendar.

Senate Resolution No. 136 -- General Assembly, Confirmation of Appointment -- Lowell Russell, Tennessee Peace Officers Standards and Training (POST) Commission.

The Speaker announced that he had referred Senate Resolution No. 136 to the Committee on Judiciary.

NOTICES

**THE TENNESSEE ADVISORY COUNCIL ON WORKERS' COMPENSATION
ANNUAL REPORT**

The report was received and filed with the Clerk.

THE TENNESSEE COMMISSION ON CHILDREN AND YOUTH ANNUAL REPORT

The report was received and filed with the Clerk.

THE SECOND LOOK COMMISSION ANNUAL REPORT

The report was received and filed with the Clerk.

THE DOMESTIC VIOLENCE STATE COORDINATING COUNCIL SEMI-ANNUAL REPORT

The report was received and filed with the Clerk.

**THE TENNESSEE PUBLIC UTILITY COMMISSION MINORITY OWNED
BUSINESS PARTICIPATION REPORT**

The report was received and filed with the Clerk.

MOTION

Senator Norris moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 479**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 479 by Senator Norris.
General Assembly, Joint Conventions -- Calls joint convention to fulfill ethics course requirement for members of general assembly.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 479** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 478**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 478 by Senator Norris.
General Assembly, Recess & Reconvene -- Recesses general assembly for Martin Luther King, Jr., Day holiday from January 11, 2018, until January 17, 2018.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 478** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Harper moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 593**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 593 -- Memorials, Sports -- Nashville Predators, NHL Western Conference Champions.

On motion of Senator Harper, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 593** was concurred in.

A motion to reconsider was tabled.

ENGROSSED BILLS

January 10, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 478 and 479, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

January 10, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 593, adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

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MESSAGE FROM THE HOUSE

January 10, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 593, for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

January 10, 2018

The Speaker announced that he had signed the following: House Joint Resolution No. 593.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 9:00 a.m., Thursday, January 11, 2018, which motion prevailed.